

### **REMARKS/ARGUMENTS**

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested.

Previously presented claims 1-5, 13-19 and 23-27 were rejected under 35 USC §103(a) as unpatentable over Boutwell in view of Izutani. Previously presented claims 6-10 were rejected under 35 USC §103(a) as unpatentable over Izutani in view of Stone and Yamashita. Applicant respectfully traverses these rejections.

Previously presented claims 1-5 have been canceled without prejudice to advance prosecution. Previously presented claims 13-19 now depend directly or indirectly from amended claim 6, as do claims 23-24.

Claims 6 and 25-27 have been amended above to provide more specifically, referring to an illustrated example embodiment, that the check valve 79 is disposed in the filter casing 62,122,132,154,164,184,212,242,322 and that part of the check valve 79 enters into the inside of the fuel pump 32,156,170,190,202,302, and wherein the center axis of the check valve is parallel to the center axial direction of the fuel pump. In such a structure, the length of the pump module in the center axial direction of the fuel pump is shortened even when the pressure regulator 142,340 is mounted on the pump module.

Boutwell fails to disclose the check valve. Also, because Boutwell does not disclose the check valve, Boutwell fails to disclose that the center axis of the check valve is parallel to the center axial direction of the fuel pump.

In Izutani, as characterized by the Examiner, the check valve (not shown) is disposed in the discharge pipe of the fuel filter 120. Consequently, as can be seen from Figure 1, the check valve does not enter into the inside of the fuel pump 110. Furthermore, because the check valve (not shown) is disposed in the discharge pipe of the fuel filter 120, Izutani fails to disclose a check valve disposed in the filter casing

126. Thus, even if Boutwell and Izutani could be combined, the invention of applicant's claims 6, 25, 26 and 27 would not be taught or suggested.

Furthermore, as noted above, according to claims 6 and 25-27, a part of the check valve 79 enters into the inside of the fuel pump such that the center axis of the check valve is parallel to the center axial direction of the fuel pump. With such a structure, the valve of the check valve is surely attached to a valve seat of the check valve without being misaligned when the check valve is closed by residual pressure. In Izutani, although the check valve is disposed vertically and parallel to the center axial direction of the fuel pump, the check valve does not enter into the inside of the fuel pump 110.

In Stone, cited against claim 6, the check valve 200 does not enter into the inside 226 of the fuel pump (Figure 7). Furthermore, the check valve 200 is not disposed in the filter casing 190,224. Also, in Stone, the center axis of the check valve 200 is perpendicular to the center axial direction of the fuel pump.

In Yamashita, check valve 18 does not enter into the inside of the fuel pump 10 (Figure 1). Furthermore, check valve 18 is not disposed in the filter casing 21. Also, in Yamashita, although the check valve 18 is disposed vertically in parallel to the center axial direction of the fuel pump 10, check valve 18 does not enter into the inside of the fuel pump 10 (Figure 1).

Thus, Boutwell, Izutani, Stone and Yamashita, whether taken alone or in any combination do not teach or in any way suggest a check valve disposed as set forth in amended claims 6, 25, 26 and 27. Moreover, these references do not teach or suggest the advantages made possible by disposing a check valve as recited in applicant's independent claims 6, 25, 26 and 27. Thus, the invention is not anticipated by the applied art nor rendered obvious by its teachings.

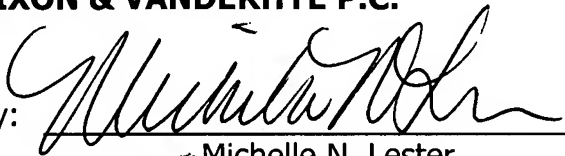
KATO et al.  
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For all the reasons advanced above, reconsideration and withdrawal of the Examiner's rejection based on Boutwell and Izutani and withdrawal of the Examiner's rejection based on Izutani, Stone and Yamashita are solicited.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and an early Notice to that effect is earnestly solicited.

Respectfully submitted,

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